

**ALACHUA COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**ORDINANCE 2025-**  
(Unified Land Development Code Amendment)

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ALACHUA COUNTY FLORIDA AMENDING THE ALACHUA COUNTY CODE OF ORDINANCES, TITLE 40, RELATING TO THE REGULATION OF THE USE AND DEVELOPMENT OF LAND IN THE UNINCORPORATED AREA OF ALACHUA COUNTY, FLORIDA; INCLUDING AMENDMENTS TO CHAPTER 407 GENERAL DEVELOPMENT STANDARDS; AND CHAPTER 410 DEFINITIONS; RELATED TO STANDARDS FOR ACCESSORY STRUCTURES ON RESIDENTIAL LOTS; PROVIDING FOR MODIFICATIONS; A REPEALING CLAUSE; SEVERABILITY; INCLUSION IN THE CODE AND CORRECTION OF SCRIVENER'S ERRORS; LIBERAL CONSTRUCTION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Alachua County, Florida, is authorized, empowered, and directed to adopt land development regulations to implement the Comprehensive Plan and to guide and regulate the growth and development of the County in accordance with the Local Government Comprehensive Planning and Land Development Regulation Act (Section 163.3161 et seq.,) Florida Statutes; and

WHEREAS, the Board of County Commissioners of Alachua County adopted its 2019-2040 Comprehensive Plan, which became effective on December 13, 2019; and

WHEREAS, the Board of County Commissioners of Alachua County adopted its Unified Land Development Code, which became effective on January 30, 2006; and

WHEREAS, the Board of County Commissioners of Alachua County, Florida, wishes to make amendments to the Alachua County Code of Ordinances Part III, Unified Land Development Code, relating to development of land in Alachua County; and

WHEREAS, the Board of County Commissioners, acting as the Land Development

Regulation Commission, has determined that the land development regulations that are the subject of this ordinance are consistent with the Alachua County Comprehensive Plan; and,

WHEREAS, a duly noticed public hearing was conducted on such proposed amendment on August 12, 2025 by the Board of County Commissioners, held after 11:30 a.m.; and,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF  
ALACHUA COUNTY, FLORIDA:

Section 1. Legislative Findings of Fact. The Board of County Commissioners of Alachua County, Florida, finds and declares that all the statements set forth in the preamble of this ordinance are true and correct.

Section 2. Unified Land Development Code. The Unified Land Development Code of the Alachua County Code of Ordinances Part III is hereby amended as shown in Exhibit A and attached hereto.

Section 3. Modification. It is the intent of the Board of County Commissioners that the provisions of this ordinance may be modified as a result of considerations that may arise during public hearings. Such modifications shall be incorporated into the final version of the ordinance adopted by the Board and filed by the Clerk to the Board.

Section 4. Repealing Clause. All ordinances or parts of ordinances in conflict herewith are, to the extent of the conflict, hereby repealed.

Section 5. Inclusion in the Code, Scrivener's Error. It is the intention of the Board of County Commissioners of Alachua County, Florida, and it is hereby provided that, at such time as the Development Regulations of Alachua County are codified, the provisions of this ordinance shall become and be made part of the Unified Land Development Code of Alachua County, Florida; that the sections of this ordinance may be renumbered or re-lettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate

designation. The correction of typographical errors that do not affect the intent of the ordinance may be authorized by the County Manager or designee, without public hearing, by filing a corrected or re-codified copy of the same with the Clerk of the Circuit Court.

Section 6. Ordinance to be Liberally Construed. This ordinance shall be liberally construed in order to effectively carry out the purposes hereof which are deemed not to adversely affect public health, safety, or welfare.

Section 7. Severability. If any section, phrase, sentence or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 8. Effective Date. A certified copy of this ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners within ten (10) days after enactment by the Board of County Commissioners, and shall take effect upon filing with the Department of State.

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DULY ADOPTED in regular session, this 12th day of August, A.D., 2025.

BOARD OF COUNTY COMMISSIONERS OF  
ALACHUA COUNTY, FLORIDA

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Charles Chestnut IV, Chair

ATTEST:

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J.K. “Jess” Irby, Esq. Clerk

APPROVED AS TO FORM:

(SEAL)

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Alachua County Attorney

DEPARTMENT APPROVAL AS TO CORRECTNESS:

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Department of Growth Management  
Authorized Designee

## EXHIBIT A

### Unified Land Development Code Revision Language

CODE: Words ~~stricken~~ are deletions; words underlined are additions

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#### CHAPTER 407 GENERAL DEVELOPMENT STANDARDS ARTICLE I SETBACKS, HEIGHT, AND OTHER STANDARDS

##### **Sec. 407.01. - Dwelling units on lot.**

Where a single lot or parcel of land is used for a single-family attached or detached dwelling unit, only one ~~(1)~~ dwelling unit shall be allowed on the lot, except as otherwise provided for in this ULDC. Accessory buildings such as sheds and garages may not be constructed prior to construction of a principal building.

##### **Sec. 407.02. - Permitted building area.**

(a) The principal building or buildings on any lot or parcel of land shall be erected within the area bounded by the ~~building lines established by setback or yard requirements.~~ Accessory ~~structures, and similar structures as determined by the Zoning Administrator~~ buildings may be erected within ~~any building line established for the principal building or rear yards as otherwise provided in this ULDC~~ the side or rear buildable area as established by the zoning district. Accessory ~~buildings-structures~~ may not be erected within front yards subject to the following; except within the agriculture zoning district on properties that are not part of a ~~platted subdivision.~~

(1) On lots less than one acre:

- a. A single accessory structure is allowed.
- b. Must not encroach in any required buffer, easement, sidewalk, sight triangle or right-of-way of any public road.
- c. Not exceed 400 square feet.
- d. Not higher than 15 feet.
- e. Compliant with the Florida Building Code.

(2) On lots greater than one acre:

- a. Two accessory structures are allowed.
- b. Must not encroach in any required buffer, easement, sidewalk, sight triangle or right-of-way of any public road.
- c. Must be at least 25 feet from the front property line.
- d. Not higher than 15 feet.
- e. Compliant with the Florida Building Code.

(b) Accessory structures placed on lots in a previously approved platted subdivision where accessory setbacks were not provided may meet the least restrictive standard of either the platted setback or the accessory setback of the zoning district.

##### **Sec. 407.05. Allowable projections.**

Every part of a required setback shall be open from its lowest point to the sky, unobstructed, except that certain building features and structures are allowed to project into required setbacks, provided that such structures do not require the placement of fill for foundations or for frame adjustments that will encroach across adjacent property lines or result in the creation of or diversion of stormwater runoff that adversely affects adjacent properties except as provided below.

- (a) In any non-residential district, in mixed-use or commercial portions of traditional neighborhood development and transit oriented developments ~~TODs~~, or for zero-lot-line buildings, architectural features such as marquees, canopies, and awnings that are not completely enclosed may extend over a sidewalk up to two-thirds ( $\frac{2}{3}$ ) of the way between the face of a building and the curb, but no closer than four (4) feet from the vertical extension of the curb, into an adjacent right-of-way, lot, common area, or setback, provided all of the following conditions are met.

## CHAPTER 410 DEFINITIONS

### ARTICLE III DEFINED TERMS

~~*Accessory use, building, or structure:* A use, building, or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use of the lot or building, building or structure. Accessory structures include, but are not limited to the following: sheds, unattached garages, swimming pools, docks, gazebos, satellite dishes, screen enclosures, rooftop solar panels, and garage apartments.~~

*Accessory structure or building:* A building or structure that is customarily incidental and subordinate to the principal building located on the same lot. Accessory structures or buildings include, but are not limited to sheds, detached garages and carports, swimming pools, tennis courts, docks, gazebos, ground mounted photovoltaics, screen enclosures, and accessory dwelling units.

~~*Garage:* A detached residential accessory structure or a portion of the principal building, to which there is legal vehicular access from a public right-of-way, used as a work or hobby space, for recreation or leisure activities, or for the storage of motor vehicles and personal property belonging to the occupants of the principal building. A carport shall be considered as a private garage.~~